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PATENT  
0690-0110P  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Wolfgang M. FRANZ et al. CONF: 2640  
APPLN. NO.: 09/068,751 GROUP: 1635  
FILED: November 2, 1998 EXAMINER: M. Schmidt  
FOR: GENE-THERAPEUTIC NUCLEIC ACID CONSTRUCT,  
PRODUCTION OF SAME AND USE OF SAME IN THE  
TREATMENT OF HEART DISEASE

L E T T E R

Honorable Commissioner of Patents  
Washington, D.C. 20231

July 12, 2002

Sir:

Attached herewith please find the original Declaration of Wolfgang M. Franz Under 37 C.F.R. § 1.132, a photocopy of which was submitted with the Amendment filed on June 20, 2002, for filing in the above-identified application.

If the Examiner has any questions concerning this application, he is requested to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

Application Number: 09/068,751

required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17;  
particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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DRN/bsh  
attachment